

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ESCAPES!, INC.,)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO: 09-00515-KD-M
)	
LEGACY LAND & DEVELOPMENT)	
LLC; et al.,)	
Defendants.)	

ORDER

After due and proper consideration of all pleadings in this file, and a *de novo* determination of those portions of the Recommendation to which objection is made (Docs. 250, 251, 252, 253), the Report & Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated June 3, 2011, is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that the Plaintiff’s Motion for Default Judgment Against Defendants Kearney and Balliett (Doc. 223) is **GRANTED**, and that a **DEFAULT JUDGMENT** is hereby entered against Defendant William Kearney and Defendant Dolores Balliett. Defendant Allan A. Buniak remains in this action. The Clerk has already entered a default against Legacy Land & Development, LLC and Escapes Acquisition Company, LLC on October 26, 2009 for failure to plead or otherwise defend (Doc. 24).

DONE and ORDERED this the **23rd** day of **June 2011**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE